

Message Text

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ACTION EA-10

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E.O. 11652: N/A

TAGS: PINT, KS

SUBJECT: SUPREME COURT RULES ON REMAINING EMERGENCY
MEASURES CASES

REF: SEOUL 1209

STATE 41532

SEOUL 1030

1. ON APRIL 8, SUPREME COURT ANNOUNCED IT TURNED DOWN
APPEALS FOR THIRTY-SIX OF THIRTY-EIGHT CASES RELATED TO
EMERGENCY MEASURES TRIALS. TWO CASES WILL BE REMANDED
TO LOWER COURTS.

2. INCLUDED IN THIRTY-SIX CASES ARE 22 PEOPLE'S
REVOLUTIONARY PARTY (PRP) PRISONERS AND FOUR UNIVERSITY
GRADUATE STUDENTS. ROKG HAS ALREADY RELEASED NINE
OF THIRTY-SIX WITH BULK OF EMERGENCY MEASURES STUDENTS
IN MID-FEBRUARY. THREE OTHERS IN THIRTY-SIX WERE ORDINARY
CITIZENS WHO ALSO WERE PREVIOUSLY RELEASED FROM PRISON.

3. ACCORDING TO RECENT MEDIA REPORTS, LEGAL TECHNICALITY
PRESCRIBES THAT THESE NINE GRADUATE STUDENTS AND
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THREE ORDINARY CITIZENS COULD BE REIMPRISONED ONCE HIGH

COURT HAS JUDGED THEIR CASES BUT THIS PARTICULAR TECHNICALITY WAS NOT MENTIONED BY SUPREME COURT IN APRIL 8 ANNOUNCEMENT. IT WAS GENERAL UNDERSTANDING AMONG KOREANS AT TIME EMERGENCY MEASURES RELEASE ON FEBRUARY 15 THAT EVEN IF SUPREME COURT REAFFIRMED ORIGINAL SENTENCES OF NON-PRP PRISONERS, THEIR RELEASE WOULD REMAIN IN EFFECT.

4. STUDENT YI CHOL WAS ONLY ONE OF THIRTY-SIX PRESENT FOR COURT'S DECISION TODAY. TONGA ILBO REPORTS, HOWEVER, THAT PRP FAMILIES AND OTHERS PARTICIPATED IN DEMONSTRATION AT COURT FOLLOWING ANNOUNCEMENT WHICH CONTINUED FOR ONE HOUR. AMNESTY INTERNATIONAL REPRESENTATIVE BRIAN WROBEL INFORMED EMBASSY THAT ALTHOUGH HE WAS GIVEN PERMISSION BY ROKG PUBLIC PROSECUTOR TO INTERVIEW PRP PRISONERS CONDEMNED TO DEATH, HIS WAY WAS BARRED AT THE HOLDING ROOM BY UNIFORMED POLICE WHO THEN ROUGHED HIM UP AND MARCHED HIM OUT OF THE AREA.

5. OF TWENTY-TWO PRP PRISONERS, EIGHT ARE CONDEMNED TO DEATH; SIX TO LIFE TERM; FOUR TO TWENTY YEARS; AND FOUR TO FIFTEEN YEARS. NEXT LEGAL STEP FOR PRISONERS WOULD BE TO ASK FOR FURTHER REVIEW OF CASE. ASSUMPTION OF KOREAN OBSERVERS AND IN EMBASSY AT THIS POINT IS THAT DEATH SENTENCES WILL NOT BE CARRIED OUT.
SNEIDER

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